

Abstract

Air carriers' liability for the carriage of passengers in the light of European and Private International Law

The object of this rigorosa is air carriers' liability for the carriage of passengers, which is by its nature governed mainly by international treaties and secondary law of the European Union. The rigorosa is divided into six parts, which are focused on all aspects of air carriage.

The first part informs about the historical development of aviation and its contemporary importance especially with regard to its impact on environment and economical situation. Basic concepts which are used by the author throughout the whole rigorosa and can be found by readers are not omitted as well. The second part focuses on the regulation of international air carriage from the perspective of International law, European law and Czech domestic law. As mentioned in this rigorosa, the carrier's liability when the loss event that is expected by legislators happens is governed mainly by international treaties and secondary law of the European Union, that is why the third part is focused on its most important legal sources and its possible development.

Since it is necessary to complexly inform passengers about their rights, the author decided to do so in the fourth part of this rigorosa, which deals with the passengers' claims, in case of their death, injury, or other health damage, baggage destruction, lost, damage or delay and significant delays and cancellations of passenger's flights and denied boarding or change of classes.

The fifth part is focused on the jurisprudence of the Supreme Court of the Czech Republic, Constitutional Court of the Czech Republic and the Court of Justice of the European Union. The decision-making activity of the third mentioned judicial authority, which has contributed significantly to the interpretation of the terms used in Union legal acts, has helped the European legislator to amend the current legislation for the future times.

The sixth part is devoted to the analysis of the survey conducted by the author among university students from the Visegrad Four's countries focused on their awareness of the legislation of international air carriage. Interim evaluation of students' knowledge concerning the Regulation No. 261/2004 and the Montreal Convention, respectively the Regulation No. 2027/97, as amended by the Regulation No. 889/2002 which transposes the Montreal Convention into EU law, is also the part of this section due to the fact that these legal sources of the regulation of international air carriage are in the author's point of view the most used ones in real life.

In conclusion of the rigorosa, the author mentions the possible challenges for the European Union and the international community for the future, because the annual development of air carriage will henceforward require the increased attention and care.